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President: Mr. Shava (Vice-President) ..... (Zimbabwe)

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In the absence of Mr. Oh Joon (Republic of Korea), Mr. Shava (Zimbabwe), Vice-President, took the Chair.

The meeting was called to order at 3.15 p.m.

Agenda item 19: Social and human rights questions (*continued*)

(c) Crime prevention and criminal justice (E/2015/30/Add.1-E/CN.15/2015/19/Add.1, E/2016/30-E/CN.15/2016/13 and E/2016/77)

(d) Narcotic drugs (E/2015/28/Add.1, E/2016/28 and E/INCB/2015/1)

1. **Mr. Däuble** (Germany), Chair of the Commission on Crime Prevention and Criminal Justice, gave a briefing on the work of the twenty-fifth regular session of the Commission, the report of which was contained in E/2016/30-E/CN.15/2016/13. The topic of the session's annual thematic discussion had been "Criminal justice responses to prevent and counter terrorism in all its forms and manifestations, including the financing of terrorism, and technical assistance in support of the implementation of relevant international conventions and protocols". A number of standing items had also been discussed. The Commission had adopted three resolutions by consensus; recommended two draft resolutions, on restorative justice and mainstreaming holistic approaches to youth crime prevention, and one draft decision, for adoption by the Council; and adopted one draft resolution for approval by the Council and subsequent adoption by the General Assembly, relating to the follow-up to the thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the fourteenth Congress.

2. In accordance with General Assembly resolution 68/1, the Commission had tried to align its work with that of the Council. In March 2016 the Commission had submitted its contribution to the Council's discussion on implementing the 2030 Agenda for Sustainable Development: moving from commitments to results. It had also submitted a paper to the high-level political forum on the theme "ensuring that no one is left behind", as well as a presentation containing crime and justice statistics and information on how the Commission would contribute to monitoring the Sustainable Development Goals. The work of the Commission contributed to the achievement of many of the Sustainable Development Goals, including Goal 16, on peaceful societies and access to justice for all, which touched the Commission's core mandate; Goal 11, which was closely related to the Commission's work on preventing physical assault; Goal 15, which related to the Commission's work to prevent wildlife crime; and Goal 5, which was closely connected to its work on ensuring women's and girls' access to justice and eliminating gender-based violence. The Commission helped to ensure that no one was left behind through the fulfilment of its mandate: fully inclusive societies could only be predicated on the rule of law, an effective criminal justice system, the protection of victims of crime, and the prevention of transnational organized crime and corruption. Moreover, the Commission's work addressed the needs of specific groups which were most likely to be left behind, such as youth, migrants and prison populations. The draft Doha Declaration on integrating crime prevention and criminal justice into the wider United Nations agenda to address social and economic challenges and to promote the rule of law at the national and international levels, and public participation, adopted at the thirteenth United Nations Congress on Crime Prevention and Criminal Justice, highlighted the need to uphold human dignity, human rights and fundamental freedoms for all, including vulnerable members of society, and to prevent and counter crime motivated by discrimination or intolerance of any kind.

3. **Mr. Karia** (President, Board of Trustees, United Nations Interregional Crime and Justice Research Institute), accompanying his remarks with a digital slide presentation, presented the report of the Board, contained in E/CN.15/2016/8. The Institute's overall strategy consisted of research-based programming, which produced measurable outcomes. However, research-based programming often took years to achieve demonstrated behaviour changes in a target population. For that reason, the Institute had developed a system for documenting such behavioural change throughout projects. For example, it continued to work with the European Commission and the European External Action Service to address risks related to chemical, biological, radiological and nuclear materials; including illegal trafficking in such materials, nuclear terrorism, accidental release of chemical or biological material and natural disasters. With the support of the Institute, countries were developing national action plans, in coordination with existing initiatives. The process had led to systematic

behaviour change. At the national level, the plans fostered inter-agency cooperation and ensured that priorities were identified, while at the regional level they helped to identify common concerns. At the international level, they would provide a tool to reinforce donor coordination and ensure the implementation of international legal instruments in the areas of chemical, biological, radiological and nuclear risk mitigation. The Institute had also developed regional centres of excellence, which enabled it to assist Member States to develop action plans to address a range of types of crime. It was currently using research-based programming to inform work on more than 30 areas of crime, and achieving measurable outcomes, with funding from Member States, foundations and private partnerships. It continued to play an active role in education by, inter alia, holding workshops on different aspects of the criminal justice system.

4. Following a six-year period over which it had rapidly expanded, in 2015 the Institute had focussed on stabilizing its funding, support services and programme implementation. New administrative processes were currently being implemented to adapt to the Umoja system, while the Institute's budget and personnel numbers remained the same. The Institute was entirely funded from extra-budgetary resources, earmarked for specific projects, and general-purpose voluntary contributions. Its rapid growth since 2010 had stretched its administrative support personnel beyond capacity, and additional voluntary contributions were needed to support the restructuring that was required for the Institute to fulfil its mandate.

5. Lastly, an increasing number of young people were falling through the "prevention cracks"; specifically, large numbers of young people were becoming involved with violent extremism. The high numbers of young people displaced as a result of conflict meant that there would be a large number of people excluded from society in the next two generations. Increased funding was needed across the entire criminal justice system to support those people. Youth urban crime prevention and intervention programmes, and programmes to counter the draw of violent extremism, among other types of schemes, were necessary.

6. **Mr. Galuska** (Czech Republic), Chair of the Commission on Narcotic Drugs, gave a briefing on the recent work of the Commission and presented the report of its fifty-ninth session, contained in E/2016/28-E/CN.7/2016/16. Accompanying his remarks with a digital slide presentation, he said that the session, attended by over 1,000 participants, had been divided into a special segment on preparations for the April 2016 United Nations General Assembly special session on the world drug problem, and a regular segment focussed on the scheduling of substances, strategic management issues, the world drug trafficking situation, recommendations made by the subsidiary bodies of the Commission and matters relating to the Council. Member States had adopted nine resolutions by consensus, one containing the draft outcome document of the General Assembly special session for adoption by the General Assembly.

7. At the special session, the General Assembly had adopted the outcome document contained in resolution A/RES/S-30/1, entitled "Our joint commitment to effectively addressing and countering the world drug problem", which provided guidance on the work to be carried out in that area. Specifically, it provided operational recommendations on demand and supply reduction; ensuring that controlled substances were available exclusively for scientific and medical purposes; and cross-cutting issues, such as drugs and human rights. Member States had committed to implement the recommendations and keep the Commission updated regarding progress.

8. The other resolutions adopted by the Commission concerned the outcomes of the meetings of its subsidiary bodies, the promotion of scientific networks to better address the world drug problem, the development and dissemination of international standards for the treatment of drug use disorders, the mainstreaming of gender perspectives into drug use policies and programmes, the promotion of prevention strategies and policies, the promotion of proportionate sentencing for drug-related offences, and measures to target new psychoactive substances and amphetamine-type stimulants. During its regular segment, the Commission had also discussed the implementation of the international drug control treaties, including changes in the scope of control of substances. It had acted on seven substances, which had not been included in schedules previously, on the basis of World Health Organization recommendations.

9. In terms of contributing to the work of the Council in line with General Assembly resolution 68/1, in March 2016 the Commission had submitted a

contribution to the Council's discussion on implementing the 2030 Agenda for Sustainable Development: moving from commitments to results, and in May 2016 it had submitted to the high-level political forum a paper on ensuring that no one was left behind. The Commission's work contributed to achieving many of the Sustainable Development Goal targets under Goal) 3 on health and Goal 5 on gender equality by, inter alia, working to prevent drug use disorders specifically among women and girls. The Commission helped to ensure that no one was left behind by adopting a broad development perspective on the world drug problem. It addressed risk factors affecting individuals and society and issues such as drug-related violence and social disintegration, to contribute to peaceful and inclusive societies. It responded to the needs of vulnerable members of society, including children, ethnic minorities and socially marginalized individuals. The United Nations Office on Drugs and Crime had included a chapter on mechanisms of interaction between the world drug problem and all aspects of sustainable development in its World Drug Report 2016, and had woven the theme of leaving no one behind into the report.

10. **Ms. Pavadia** (First Vice-President, International Narcotics Control Board), introducing the report of the International Narcotics Control Board for 2015, contained in document E/INCB/2015/1, said that over the past 12 months the Board had been engaged in such activities as the special session of the General Assembly on the world drug problem, and had worked closely with country missions and Governments with a view to full implementation of the three drug-control-related conventions. Among the various observations and recommendations made in the report, Governments were urged to review drug-related policies, in particular with regard to the criminalization of drug abuse. States should favour alternatives to punishment, such as rehabilitation, with any sanctions arising from due process and proportionate to the seriousness of the crime and degree of responsibility of the defendant. None of the conventions called for a war on drugs. Rather, drug-related policies should address illicit drug production, focus on the health and the welfare of populations and take into account social factors, including access to education and exposure to violence and abuse.

11. The Board had developed a list of new psychoactive substances for voluntary surveillance by Governments, and was also working with them to facilitate the sharing of information. It had also issued guidance for the control of precursor chemicals. Unfortunately, certain countries had recently decided to permit the non-medical use of substances such as cannabis, clearly contravening the conventions and the international consensus on which international drug control cooperation was based. Governments were therefore urged to implement measures to control the cultivation of cannabis in line with the 1961 Single Convention on Narcotic Drugs.

12. Deeply concerned by the situation in Afghanistan, the Board called on the international community to continue to support that country in its drug control and development efforts. In that regard, the Board stood ready to cooperate with all relevant partners. There was also a particularly worrying upward trend in opioid consumption in North America, Europe, Australia and New Zealand. In contrast, low- and middle-income countries continued to have inadequate access to proper pain relief due to lack of training and awareness, addiction concerns, limited finance, sourcing difficulties and the fear of diversion. Governments were therefore urged to take firm action, including by training health professionals and raising awareness. The Board was currently implementing a project to train competent national authorities and counted on the support of Member States. It also looked forward to continued cooperation in the implementation of the three drug conventions with Governments and civil society. States were further encouraged to convey the recommendations in the report to their Governments and to promote their implementation.

13. **Mr. Ríos Sánchez** (Observer for Mexico) said that a more coherent United Nations system was crucial to addressing the world drug problem. Although entities such as the Commission on Narcotic Drugs, the International Narcotics Control Board and the Office on Drugs and Crime had clear mandates, greater coordination with other agencies, bodies and international organizations was necessary to design and implement more effective responses.

14. Mexico was concerned by the lack of equitable geographical diversity among the staff at the Office on Drugs and Crime and, similarly, the lack of gender parity at the Commission on Narcotic Drugs. In contrast, it welcomed the recommendations included in the report of the International Narcotics Control Board,

in particular with respect to access to controlled substances. It was worth noting that 90 per cent of pain-relief medications were consumed in only 10 countries of the world, leaving a great many dying of pain.

15. **Ms. Urruela Arenales** (Guatemala) said that her delegation welcomed the outcome document adopted at special session of the General Assembly on the world drug problem. Although it was insufficiently ambitious, it took into account the various views expressed during debates, which should in turn to be reflected in the United Nations system. Entities such as the General Assembly, Human Rights Council, and the Economic and Social Council should draft guidelines on addressing the world drug problem.

16. **Mr. Minami** (Japan) said that his Government was committed to implementing the Doha Declaration. Its decision to host the United Nations Congress on Crime Prevention and Criminal Justice in 2020 was a reflection of that commitment. Japan also welcomed the adoption by the Commission on Crime Prevention and Criminal Justice of the resolution it had proposed with regard to the theme, agenda items and workshop topics of the 2017 Congress.

17. His delegation further welcomed the successful conclusion of the recent special session of the General Assembly on the world drug problem, and pledged to implement the resulting recommendations in partnership with the international community, in particular with respect to the worrying spread of synthetic drugs.

18. Japan reaffirmed the principal roles of the Commission on Narcotic Drugs as the United Nations policymaking body responsible for drug-control issues, and of the Office on Drugs and Crime as the leading United Nations entity for countering the world drug problem. Having been a member of both the Commission on Crime Prevention and Criminal Justice and the Commission on Narcotic Drugs, his Government would continue to play an active role in those areas.

19. **The President** invited the Council to take action, under sub-item (c), on the draft proposals contained in chapter I, sections A, B and C, of the report of the Commission on Crime Prevention and Criminal Justice on its twenty-fifth session (E/2016/30).

Section A

Draft resolution: Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice

20. *The draft resolution was adopted.*

Section B

Draft resolution I: Restorative justice in criminal matters

Draft resolution II: Mainstreaming holistic approaches in youth crime prevention

21. *Draft resolutions I and II were adopted.*

Section C

Draft decision: Report of the Commission on Crime Prevention and Criminal Justice on its twenty-fifth session and provisional agenda for its twenty-sixth session

22. *The draft decision was adopted.*

23. **The President** proposed that the Council should take note of the report of the Board of Trustees on major activities of the United Nations Interregional Crime and Justice Research Institute (E/2016/77).

24. *It was so decided.*

25. **The President** invited the Council to take action, under sub-item (d), on the draft decision contained in chapter I, section A, of the report of the Commission on Narcotic Drugs on its reconvened fifty-eighth session (E/2015/28/Add.1).

Draft decision: Report of the Commission on Narcotic Drugs on its reconvened fifth-eighth session

26. *The draft decision was adopted.*

27. **The President** invited the Council to take action, also under sub-item (d), on the draft proposals contained in chapter I, sections A, B and C, of the report of the Commission on Narcotic Drugs on its fifty-ninth session (E/2016/28).

Section A

Draft resolution: Outcome document transmitted by the Commission on Narcotic Drugs to the General Assembly and recommended for adoption at the plenary of the special session on the world drug problem to be held in 2016

28. *The draft resolution was adopted.*

Section B

Draft resolution: Promoting the implementation of the United Nations Guiding Principles on Alternative Development

29. *The draft resolution was adopted.*

Section C

Draft decision I: Report of the Commission on Narcotic Drugs on its fifty-ninth session and provisional agenda for its sixtieth session

Draft decision II: Report of the International Narcotics Control Board

30. *Draft decisions I and II were adopted.*

(e) United Nations High Commissioner for Refugees (*continued*) (E/2016/61 and E/2016/78; E/2016/L.29)

31. **Ms. Matthews** (Deputy Director, New York Liaison Office, Office of the United Nations High Commissioner for Refugees (UNHCR)) presented an oral report on behalf of UNHCR on coordination of UNHCR activities implemented in partnership with Governments, national and international non-governmental organizations (NGOs), sister United Nations agencies, other multilateral bodies and refugees, stateless persons and internally displaced persons.

32. Over the past year, the number of people displaced by conflict and persecution had reached 65.3 million, of which 12.4 million had been newly displaced. Although host countries had generally maintained open borders, displaced persons had had to bear significant political and socioeconomic burdens, travelling by dangerous and irregular means in search of international protection. The often ad hoc and exclusionary responses to the arrival of large numbers of refugees and migrants in Europe by boat undermined the coordination necessary to mitigate the crisis, threatening the institution of asylum. Unresolved conflict, political instability and insecurity had continued to make voluntary repatriation impossible for most of the world's displaced. Resettlement continued to play a crucial role in the protection response of UNHCR. Within four years, UNHCR annual resettlement submissions had increased by 79 per cent, and, in 2015, UNHCR had processed more than 130,000 submissions.

33. UNHCR had continued to lead and coordinate international action in favour of refugees and other persons of concern in line with the refugee coordination model. It had extended the terms of its regional refugee coordinators for the situations in the Central African Republic, Nigeria, South Sudan and the Syrian Arab Republic. New refugee coordinators had been appointed for the situations in Yemen and Europe. Seven regional refugee response plans currently covered 30 countries, involving over 270 partners.

34. UNHCR had continued to implement the Joint UNHCR-Office for the Coordination of Humanitarian Affairs (OCHA) Note on Mixed Situations, which provided a framework for leadership and coordination in both refugee operations and complex humanitarian emergencies, notably in Northern Cameroon, Chad, Iraq and Sudan. Where applicable, UNHCR had worked with OCHA and other stakeholders to ensure that refugee response appeared as a distinct chapter in inter-agency country-level humanitarian response plans. In line with the refugee coordination model, UNHCR remained committed to ensuring that the coordination, planning and delivery of refugee responses were effective, collaborative and based on principles of partnership.

35. UNHCR had continued to implement the Inter-Agency Standing Committee transformative agenda, working within the framework of the established coordination arrangements at the global and field levels. The Global Protection Cluster had begun developing a comprehensive policy framework on protection with a view to strengthening the response of members of the Inter-Agency Standing Committee to violations of international human rights and humanitarian law. In February 2016, the Global Protection Cluster had updated its Strategic Framework 2016-2019 in order to promote the centrality of protection in humanitarian action, develop policy standards and provide support to staff in the field. UNHCR and the International Federation of Red

Cross and Red Crescent Societies co-led the Shelter Cluster, which had supported 25 country-level clusters in 2015, reaching 16.2 million persons in need of shelter or non-food items. The Global Camp Coordination and Camp Management Cluster, which was co-led by UNHCR and the International Organization for Migration (IOM), supported 37 field-level clusters worldwide and managed and developed tools and technical guidance, information management systems and training material for use in the field.

36. UNHCR worked with partners to design comprehensive protection and solution strategies that addressed the legal, economic, civil-political and social-cultural dimensions of solutions. To help drive change and find innovative solutions, UNHCR had strengthened its partnerships with development actors, such as the World Bank, the International Labour Organization and the International Trade Centre, and private sector entities. In February 2016, UNHCR had assumed the role of chair of the Solutions Alliance. In October 2015, a commitment had been made to strengthen collaboration with the World Food Programme and the United Nations Children's Fund on cash-based interventions. Partnership discussions with IOM had led to joint approaches to mixed migration crises and humanitarian trafficking. In 2015, UNHCR had entrusted $1.2 billion to partners, 80 per cent of which were NGOs and most of which were national or local organizations. In 2015, UNHCR had launched the Partner Portal, an innovative web-based platform providing interactive access to information on UNHCR partners, agreements, disbursements and policies. To further strengthen partnerships with NGOs, a series of joint missions had been undertaken with the International Council of Voluntary Agencies and InterAction. The UNHCR Annual Consultations with NGOs continued to be a significant forum for dialogue, exchange of best practices, networking and joint advocacy, attracting a record 560 participants in 2016.

37. The World Humanitarian Summit, held in Istanbul in May 2016, had provided an important platform for strengthening cooperation with a wide range of partners on measures to improve humanitarian action and ensure responses to forced displacement. During the thematic and regional consultations in preparation for the Summit, UNHCR had advocated the centrality of protection, emphasizing that protection concerns must systematically inform humanitarian planning and preparedness, decision-making and responses, financing and solutions, and leadership and coordination. It had also called for greater attention to solutions to protracted situations and efforts to bridge the humanitarian-development divide and highlighted the importance of innovation to improving delivery and gaining efficiencies. At the Summit, it had made a number of commitments, including facilitating faster and more efficient emergency response, building a robust capacity to engage effectively with development actors, scaling up the use of cash assistance, where appropriate, and ensuring greater efficiency, transparency and accountability.

Draft decision: Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees (E/2016/L.29)

38. **Mr. Bai** (Observer for Fiji), introducing the draft decision, said that Paraguay and Fiji, through their respective requests for membership of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, had shown their commitment to UNHCR and their respective implementation efforts in their various jurisdictions. They were confident of meeting the criteria for membership, since they were strongly committed to the goals of UNHCR, had established high levels of cooperation with UNHCR, were parties to conventions on human rights and refugees and valued the contributions of refugees to peace and international dialogue. Given the commitments of Paraguay and Fiji to the work of the Committee and to the identification of solutions for refugees, enlarging the Committee to include those countries would benefit both the Committee and the United Nations.

39. **The President** said that the draft decision contained no programme budget implications.

40. *Draft decision E/2016/L.29 was adopted.*

(f) Human rights (*continued*) (A/71/41; E/2016/22 and E/2016/58)

41. **Mr. Šimonović** (Assistant Secretary-General for Human Rights) said that, in commemoration of the fiftieth anniversary of the adoption of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, the Office of the United Nations High Commissioner for Human Rights had launched a year-

long campaign to promote broader awareness of the Covenants, particularly among children and youth. In addition, the Convention on the Rights of the Child had obtained three additional ratifications since 2014, and was only one ratification away from universal ratification. He encouraged those States that had not yet acceded to or ratified the Covenants and the Convention and their Optional Protocols to do so with a view to strengthening the protection of economic, social and cultural rights worldwide.

42. Introducing the report of the United Nations High Commissioner for Human Rights on early warning and economic, social and cultural rights (E/2016/58), he said that the report highlighted the need for closer analysis of the links between the violation of those rights and violence, social unrest and conflict in early warning efforts. Illustrating those links through concrete country examples, the report identified violations of human rights relating to access to land as one of the main causes of violence and conflict worldwide and highlighted a number of risk factors for violence, together with corresponding indicators. It underscored the contribution of severe inequality, frequently driven by discrimination, to modern-day conflicts and stressed the need for revealing indicators, such as the proportion of people living below 50 per cent of median income, disaggregated on the basis of age, sex and disability, to evaluate the action of States to redress it. Given the importance of an active and functioning civil society for ensuring the accountability of Governments, laws and policies and assessing fulfilment of human rights obligations, a shrinking space for civil society represented a significant risk. A useful indicator in that regard would be the number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, trade unionists and human rights advocates within a 12-month period. Unequal access to natural resources and land, and the failure to distribute fairly the benefits driving from investment or development projects, also created a breeding ground for social unrest. Such conditions were often exacerbated by lack of adequate compensation, decent work opportunities or adequate alternatives for resettlement for those affected or dispossessed of land. Moreover, increased securitization of business operations often contributed to confrontations with local communities. To address such inequality, efforts should be undertaken to increase the number and quality of independent environmental and social impact assessments of business activities, especially those requiring land and water, and the effective participation of persons affected by land reform programmes and policies. The lack or degradation of social services, including as part of austerity measures or as a result of the privatization of essential services, could contribute to unrest and violence, which could be prevented by the establishment of a social protection floor. Relevant structural indicators could focus on the existence of legislation guaranteeing the rights to social security, health and education. Additional indicators could include the proportion of the budget allocated to health, education and social security; information on social security coverage, particularly the number of persons entitled to benefits compared with those in need; and unemployment rates, especially of young men, as well as education level. On the basis of its analysis, the report concluded that United Nations preventive action would benefit from a system-wide early warning mechanism that would build on the Human Rights Up Front initiative, drawing from existing sources of information, including human rights mechanisms.

43. Introducing the report of the Committee on Economic, Social and Cultural Rights on its fifty-fourth, fifty-fifth and fifty-sixth sessions (E/2016/22), he said that the increase in the number of reports of States parties to the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol considered in 2015 had been made possible by the additional meeting time granted to the Committee as part of the treaty body strengthening process and had resulted in a significant reduction in the backlog of reports. In 2015, the Committee had adopted a statement recognizing social protection floors as an essential element of the right to security and of the Sustainable Development Goals, with a view to combating poverty and discrimination. It had also organized a discussion on the draft general comment on article 7 of the Covenant on the right to just and favourable conditions of work that had revealed that, despite advances, the gender pay gap remained and respect for minimum wage rules was far from universal. Labour rights must therefore be prioritized on the global agenda, particularly given the use of the global economic and financial downturn as justification for the weakening of hard-won labour standards in many parts of the world. The Committee had also begun considering individual cases under the Covenant with a view to clarifying its scope of

application and continued to provide guidance with regard to adequate remedies for victims. Lastly, he recalled the recommendation contained in paragraph 11 of General Assembly resolution 68/268 with regard to the procedure for the election of experts to the Committee.

44. Introducing the report of the Committee on the Rights of the Child (A/71/41), he said that, in the context of treaty body strengthening, the Committee had halved its backlog of State party reports pending review by conducting several sessions in parallel chambers. It had also adopted a general comment on harmful practices, developed in collaboration with the Committee on the Elimination of Discrimination against Women, an unprecedented joint initiative in the history of the Committee on the Rights of the Child that had the potential to contribute to further harmonization of the work of treaty bodies. In addition, the Committee had adopted its first decisions on an individual communication and an inquiry under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure; however, the slow pace of ratification of the Optional Protocol remained a concern. Lastly, he emphasized the need to strengthen international human rights instruments at all levels to achieve a better world.

45. **Ms. Khusanova** (Russian Federation) said that the Russian Federation noted the broad interpretation by members of the Committee on Economic, Social and Cultural Rights of their obligations under the International Covenant on Economic, Social and Cultural Rights, in particular General Comment No. 22 (2016) of the Committee on the right to sexual and reproductive health (article 12 of the International Covenant on Economic, Social and Cultural Rights). It was unacceptable to use terms and concepts that were controversial and not supported by the majority of States. Such comments were the personal opinion of experts of the Committee and could not impose upon States any obligations in addition to those already undertaken upon accession to the Covenant. The Russian Federation therefore did not consider itself obliged to ensure that all educational institutions incorporated comprehensive sexuality education into their required curricula, since it was families that were primarily responsible for providing sexual education to children.

46. The human rights treaty bodies could ensure their effective functioning by closely following their mandate and engaging in constructive dialogue with member States on the basis of mutual respect. The main task of the Committee on the Rights of the Child was to provide assistance to States in meeting their obligations under the Convention on the Rights of the Child. Recommendations of experts following the review of periodic reports of member States on their implementation of the Convention should not fall within the mandate of the Committee. The Russian Federation noted the lack of equitable geographical representation and the impossibility of evenly distributing relevant expertise among members of the Committee when examining reports in dual chambers.

47. The Russian Federation could not agree with the assertion in the report of the United Nations Office of the High Commissioner for Human Rights on early warning and economic, social and cultural rights (E/2016/58) that the adverse human rights situation was at the root of increased social unrest and modern-day conflicts. In most cases, armed conflicts were the result of outside interference in State affairs. The consequences of conflicts, in particular terrorist threats, on the enjoyment of human rights was becoming an increasingly pertinent issue. The issues of the rights of indigenous peoples and the staging of large sporting events were not directly relevant to that report.

48. The Russian Federation warned the Office of the High Commissioner for Human Rights against promoting various ideas for reform, such as the inclusion of a human rights component in all areas of United Nations activities and the development of indicators, including in the framework of the Human Rights Up Front Initiative, without consulting Member States. States should have the final say and the Secretariat should not attempt to assume the role of States.

49. **The President** proposed that the Council should take note of the report of the Committee on Economic, Social and Cultural Rights on its fifty-fourth, fifty-fifth and fifty-sixth sessions (E/2016/22).

50. *It was so decided.*

(g) Permanent Forum on Indigenous Issues (E/2016/43)

51. **Mr. Pop Ac** (Chair of the United Nations Permanent Forum on Indigenous Issues), introducing the report on the fifteenth session of the Permanent

Forum (E/2016/43), said that the session, which had been attended by many representatives of Member States, as well as approximately 1,000 indigenous leaders representing a broad range of fields, and had featured more than 70 side events, had attested to the increasing relevance and significance of indigenous issues. Participants had reaffirmed the key role of indigenous peoples in preserving the planet's natural resources; the importance of natural resources for human development, well-being, coexistence and comfort; and the need to obtain the prior, free and informed consent of indigenous peoples in decision-making relating to natural resource exploitation, in the interest of upholding democracy and to ensure that such activities benefited them and the States concerned. In addition, a number of high-level representatives of Governments, intergovernmental organizations and indigenous peoples had participated in the review of the implementation of the six mandated areas of the Permanent Forum with reference to the United Nations Declaration on the Rights of Indigenous Peoples. Many of them had underscored the need to repeal oppressive laws and practices that encroached upon the rights of indigenous peoples and to protect their rights in the areas of health, education, human rights, economic and social development, environment and culture.

52. To improve its capacity to deliver on its mandate and identify ways forward, the Permanent Forum had hosted dialogues with representatives of Member States, indigenous peoples, funds, programmes and specialized agencies of the United Nations system and other intergovernmental bodies, primarily to follow up on the implementation of the recommendations of the Permanent Forum and of the outcome document of the World Conference on Indigenous Peoples. The Permanent Forum also attached great importance to the system-wide action plan for ensuring a coherent approach to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples, launched by the Secretary-General at the opening of the session, as a key instrument for implementing the Declaration, especially at the national level. In that regard, national action plans and activities relating to indigenous peoples had a strategic role to play in imbuing human mechanisms of wealth accumulation with a new ethic that could also serve to facilitate the implementation of the 2030 Agenda.

53. During the discussions on the theme "indigenous peoples: conflict, peace and resolution", participants had shared examples of conflict prevention and resolution mechanisms, including peace processes, and had discussed the impact of conflict on indigenous peoples, particularly women and youth. They had also underscored the urgent need to consolidate intercultural dialogue at the national and regional level with a view to eradicating racism, discrimination and religious intolerance and to enhance the capacities of regional mechanisms and courts to protect human rights. The evidence of human evolution provided by such achievements was at least as strong as that provided by advancements in technology and communications.

54. In recognition of the tenth anniversary of the United Nations Declaration on the Rights of Indigenous Peoples, the Permanent Forum urged States to evaluate the situation of indigenous peoples living in their territories with a view to sharing best practices for harmonious coexistence and intercultural exchange. In that regard, United Nations funds, programmes and agencies had been encouraged to support joint efforts by States and indigenous peoples to create national development and action plans. Moreover, in line with the concern expressed by the Secretary-General regarding the disappearance of ancestral languages, interpretation in one indigenous language from each region of the world should be provided at the upcoming International Day of the World's Indigenous Peoples.

55. Efforts must be undertaken to strengthen dialogue with the world's 300 million indigenous persons, who represented 5,000 peoples with languages more than one thousand years old and centuries-old livelihood and food systems that were strategic assets for combating climate change. Accordingly, in the context of reviewing the participation mechanisms for indigenous peoples in the United Nations, consideration should be given to developing a road map for recognizing them as permanent observers, in order to ensure that they had an equal voice in all international forums organized for the benefit of humanity. Lastly, drawing the Council's attention to the three draft decisions contained in the report (E/2016/43), he underscored that the sixteenth session of the Forum would address the theme "Tenth anniversary of the United Nations Declaration on the

Rights of Indigenous Peoples: measures taken to implement the Declaration".

56. **The President** invited the Council to take action on the draft decisions contained in chapter I, section A of the report (E/2016/43).

Draft decision I: International expert group meeting on the theme "Implementation of the United Nations Declaration on the Rights of Indigenous Peoples: the role of the Permanent Forum on Indigenous Issues and other indigenous-specific mechanisms (article 42)"

Draft decision II: Venue and dates for the sixteenth session of the Permanent Forum on Indigenous Issues

Draft decision III: Report of the Permanent Forum on Indigenous Issues on its fifteenth session and provisional agenda for its sixteenth session

57. *Draft decisions I, II and III were adopted.*

(h) Comprehensive implementation of the Durban Declaration and Programme of Action

58. **The President**, informing the Council that no advance documentation had been submitted under agenda item 19 (h), recalled the decision contained in paragraph 33 of General Assembly resolution 62/220.

The meeting rose at 5.45 p.m.